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SUBJECT: KAZAKHSTAN: TIP REPORT GARNERS LITTLE ATTENTION BUT STIMULATES NEW THINKING

REF: STATE 78797

¶11. (SBU) Summary: On June 12, drawing on points provided in reftel, Charge delivered the TIP report demarche announcing Kazakhstan's Tier II Watch List ranking to Ministry of Justice Office Director Azimova, receiving a muted response in return. Charge provided a copy of the Kazakhstan TIP report and handed over a copy of the points as a non-paper. The release of the TIP report generated no notice in local press nor a public government response. Azimova said the new Deputy Minister of Justice would be focusing more attention on victim assistance and not rely solely on law enforcement as the solution. End summary.

¶12. (SBU) On June 12, Charge delivered reftel demarche to Ms. Elvira Abilkhasimovna Azimova, Director of the Department of International Law of the Ministry of Justice, highlighting that Kazakhstan should not only detect and investigate trafficking crimes but also protect citizens by ensuring courts and judges convict and imprison guilty traffickers. Furthermore, Charge stressed the necessity of Kazakhstan improving provision of assistance to victims of trafficking.

¶13. (SBU) Charge informed Azimova that the embassy was prepared to redouble its efforts to collaborate with the government of Kazakhstan in order improve the efficiency and effectiveness of legal proceedings. He said that the embassy identified \$200,000 to devote to additional training for judges and prosecutors with the goal of improving the conviction and sentencing to prison of traffickers. Finally Charge said that cooperation and coordination on improving Kazakhstan's provision of assistance to TIP victims would remain an embassy priority. (Note: The funds in question are INL funds that were to be used for the initial year of a computer-base training program for police, now a lower priority. End note.)

¶14. (SBU) Although not pleased with the news of the downgrade of Kazakhstan to Tier II Watchlist, Azimova responded neutrally and focused on the future. She said that the GOK intended to move beyond the previous law enforcement-centered approach to combating TIP and wanted to improve the government's provision of assistance to TIP victims with a focus on social rehabilitation. She noted that the Vice Minister of Justice, Dulat Kustavletov had been in his current position less than half a year and was interested in new thinking and new directions in how to solve the TIP problem.

¶15. (SBU) Azimova expressed thanks for grants the U.S. had provided for law enforcement training and said she looked forward to future cooperation with the embassy on victim assistance. She remarked that it was important to study the experience of other countries in order to more effectively provide victim assistance in Kazakhstan. Finally, Azimova expressed interest in information that the U.S. might provide on how Kazakhstan could improve its TIP ranking.

¶ 6. (SBU) Azimova reported that having analyzed Kazakhstani legislation and internal policies and in order to complete the GOK anti-TIP legislation improvement plan, the government decided to ratify the UN Convention on Organized Crime and two additional protocols to this Convention: Protocol 2 on trafficking in persons and Protocol 3 on illegal migration. The government had also decided to ratify the additional Convention on Slavery and Discrimination. Azimova said the draft law to ratify these documents was in the GOK interagency approval process. Beyond this, she reported that the next document that the government will consider for possible ratification is the International Convention for the Protection of All Persons from Enforced Disappearance.

¶ 7. (SBU) Responding to a request for specific steps that U.S.-Kazakhstani cooperation could take to improve convictions or victim assistance, Azimova responded that understanding how other countries in Central Asia or elsewhere reported TIP statistical data and how it was analyzed to prepare TIP reports would be very useful.

Post suggested that Azimova and others involved in TIP in the government read the TIP reports for relevant countries when they are released in Washington on June 12 and then discuss any specific questions with relevant officers in the embassy. Azimova noted that changes in several articles of the criminal code resulting from the 2006 amendments make it difficult to compare statistics about TIP year-on-year.

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